

Ex. 17
Wenke Lee Opening Opinion Summaries

III. SUMMARY OF FINDINGS

10. First, I find that Apple's process for reviewing native iOS applications ("apps") before they can be distributed on the iOS App Store ("App Review") does include some non-security screening for quality assurance, content moderation, and commercial compliance. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] I have no expert opinion on the extent to which these non-security checks enhance user experience; however, I note that App Review extends only to content distributed in the form of a native app. Content that is non-compliant with Apple's guidelines (e.g., low-quality, inflammatory, or pornographic content) remains accessible on iOS devices, albeit via a web browser (or other content-sharing applications) rather than as a native app. Further, reviewing software for non-security purposes, such as quality assurance and content moderation, is not an Apple-specific capability.

11. Second, I find that while App Review does provide iOS with minimal security benefits relative to the security guarantees that could be provided by the iOS operating system, such as catching some security violations that may otherwise be resource intensive for the operating system to stop, Apple's App Review process does not detect and stop all iOS security violations. [REDACTED]

Epic Games, Inc. v. Apple Inc.
[REDACTED]

[REDACTED]
[REDACTED] This is further evidenced by the history of malicious apps that have evaded detection during App Review.

12. Finally, I find that, to the extent that the App Review process provides any security related benefits, third parties can achieve the same security goals. Based on my review of Apple's job descriptions, it seems that Apple's employees who facilitate the review process ("App Reviewers") do not possess unique qualifications that would prevent a third party from replicating such a review process. Furthermore, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]